

ROBERT E. LATTA
5TH DISTRICT, OHIO

ASSISTANT MINORITY WHIP

COMMITTEE ON
ENERGY AND COMMERCE

SUBCOMMITTEE ON
COMMUNICATIONS, TECHNOLOGY AND THE INTERNET

SUBCOMMITTEE ON COMMERCE,
TRADE AND CONSUMER PROTECTION

SUBCOMMITTEE ON
OVERSIGHT AND INVESTIGATIONS

Congress of the United States
House of Representatives
Washington, DC 20515-3505

WASHINGTON OFFICE:
1531 LONGWORTH HOUSE OFFICE BUILDING
(202) 225-6405

DISTRICT OFFICES:
1045 NORTH MAIN STREET
SUITE 6
BOWLING GREEN, OH 43402
(419) 354-8700

101 CLINTON STREET
SUITE 1200
DEFIANCE, OH 43512
(419) 782-1996

11 EAST MAIN STREET
NORWALK, OH 44857
(419) 668-0206

September 29, 2010

The Honorable Lisa Jackson
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, D.C. 20460

Dear Administrator Jackson:

I represent the largest agricultural district in Ohio, and I write to express my strong concerns regarding your agency's recent proceedings during its review of the National Ambient Air Quality Standards (NAAQS), as required every five years under the Clean Air Act. The Second Draft Policy Assessment (PA) for Particulate Matter (PM) released on July 8, 2010 in the Federal Register, if made final in October 2011 as many have reported, will establish the harshest regulation of dust that the United States has ever seen.

In a recent Americus, Georgia town hall meeting with Rep. Sanford Bishop (D-GA) you were quoted as saying that "we are making sure and taking great care that you aren't required to do something that does not allow you to grow your crop." Also, I understand that you have stated that your agency is committed to issuing air quality standards for particle pollution that are scientifically sound." I think this is imperative as you continue your role as EPA Administrator.

According to the PA, the EPA would be justified in either retaining the current levels for regulating coarse PM or in revising it to lower levels depending on the emphasis placed on the evidence and uncertainties. Under the proposal, the regulations would be twice as stringent as the current standard, which has already been very difficult for our agriculture producers to comply with. It is difficult for American farmers and ranchers to reduce dust, especially during dry summers.

I have heard from many of my constituents in agriculture production about this proposal and, just like myself, they have severe concerns regarding compliance. While I respect your efforts to implement a clean and healthy environment, American farmers and ranchers should not be held under this proposal to the point where they cannot adhere to it. The U.S. government needs to take a common sense approach when it comes to dust regulations.

Back in 1900, the United States saw 40 percent of its Americans in agriculture production, and today that number is down to 1.75 percent. In Ohio alone, that number is only 0.8 percent. Many of America's agricultural areas are in arid regions where dust is constantly present and farmers are not in control of the situation, so how will this proposal affect areas where wind is always present and where the roads are made of nothing more than dirt? You may not be aware, but dampening the soil on farms and ranches are not feasible and practical, and if forced to do so under this proposal as well as other burdensome compliance measures, they could very well be forced to close which would further hampering our economy. The Federal government cannot categorize naturally occurring farm dust from other types of pollution when developing a new policy standard.

With that being said, the EPA cannot continue to punish the agriculture community with continued detrimental regulations, which will further increase our dependency on foreign food sources, drive more hard-working Americans out of work, and increase our national security risk. The EPA should consider people's livelihood, with respect to the economic climate we are currently facing because when jobs are lost, families are ruined and industries disappear, and the affects will be far worse that what you are trying to accomplish under this new proposal. American farmers and ranchers do not pick specific days they are going to do tasks on a farm or ranch; they base their decisions on what Mother Nature offers them at that time.

As I have stated in prior letters to you, any decisions from any agency or government entity should come from legislation, extensive studies, public comment and review, and review by other federal agencies, and peer review by experts. Both President Obama and you have stated on more than one occasion the need for transparency, and that scientific facts and truths are used in regulations and rulings. Furthermore, no information should be skewed before any final decisions are rendered, and this must be conveyed throughout the government.

I ask that you take a strong look at my concerns and do what is right for the American people. This isn't an issue just for the environment; this is an issue for economic livelihood, job protection, national security, and the American way of life. I look forward to your timely response, and should you or your staff have any questions, please contact myself, or Cory Toth of staff at (202) 225-6405.

Sincerely,



Robert E. Latta
Member of Congress

REL/cat